

BILL NO. 2006-35

ORDINANCE NO. _____

AN ORDINANCE TO ESTABLISH THE MEANS FOR ALLOWING ADULT DAY CARE CENTERS IN COMMERCIAL AND INDUSTRIAL DISTRICTS; TO ESTABLISH STANDARDS FOR THE USE WHEN APPROVED AS A CONDITIONAL USE; AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Larry Brown

Summary: Establishes the means for allowing adult day care centers in commercial and industrial districts, and establishes standards for the use when approved as a conditional use.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN
AS FOLLOWS:

SECTION 1: Table 2 of the Land Use Tables adopted in Title 19, Chapter 4, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to provide that the use “Adult Day Care Center” is a permitted use in the C-D, C-1, C-2, C-PB, C-M and M Zoning Districts, and as a conditional use in the P-R, N-S and O Zoning Districts. In order to reflect the amendment, the “Institutional & Community Service” element of the Land Use Tables is amended to add thereto a new row for the use, reading as follows:

INSTITUTIONAL & COMMUNITY SERVICE	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
Adult Day Care Center	C	C	C	P	P	P	P	P	P

SECTION 2: Title 19, Chapter 4, Section 40, Subsection (C), of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new subdivision entitled “ADULT DAY CARE CENTER,” reading as follows:

ADULT DAY CARE CENTER [P-R, N-S, O]

- (1) The facility must comply on an ongoing basis with all governmental licensing requirements.
- (2) Access to the facility shall be by means of a collector street or larger.
- (3) The maximum lot coverage shall not exceed fifty percent.
- (4) The site shall be designed so that all discharging or loading of passengers from a vehicle is accomplished on the site. The layout of driveways, circulation patterns and parking must be approved by the City Traffic Engineer prior to the issuance of any building permits.

- 1 (5) Common area shall be provided on the basis of a minimum of fifteen square feet per client.
- 2 (6) Where adult day care center properties have residential adjacency:
- 3 (a) An eight foot block wall shall be installed along the common property line, with an
- 4 additional buffer of evergreen trees along any open space or recreational area.
- 5 (b) The building entrance and access shall be oriented away from residential uses on local
- 6 streets.
- 7 (c) Outdoor activity shall be limited to daylight hours.
- 8 (d) Outdoor lighting shall be designed so as to not shine directly onto any abutting
- 9 residential property.
- 10 (7) The hours of operation shall not extend beyond the hours of 6:00 a.m. to 9:00 p.m.

11 SECTION 3: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of

12 Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the definition of the term “Social

13 Service Provider” to read as follows:

14 “Social Service Provider” means a facility that provides assistance to persons with limited ability for

15 self-care, but for whom medical care is not a major element. The term includes a facility that provides

16 assistance concerning psychological problems, employment, learning disabilities or physical

17 disabilities, but does not include a rescue mission or homeless shelter[.], or an adult day care center.

18 SECTION 4: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of

19 Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto, at the appropriate location,

20 the following term and its corresponding definition:

21 “Adult Day Care Center” means a facility that provides personal care and related services to more than

22 ten dependent adults in a supervised, protective, congregate setting during some portion of a

23 twenty-four hour day. Services typically offered in conjunction with an adult day care center include

24 social and recreational activities, training, meals, and services such as rehabilitation and medication

25 assistance.

26 SECTION 5: In Section 2 of this Ordinance, the brackets that follow the title of the

27 subdivision being added are not intended to indicate deleted matter, but instead are used as the means

28 of indicating the applicable districts.

SECTION 6: For purposes of Section 2.100(3) of the City Charter, LVMC 19.04.010, 19.04.040, and 19.20.020 are deemed to be subchapters rather than sections.

SECTION 7: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

SECTION 8: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2006.

APPROVED:

By OSCAR B. GOODMAN, Mayor

ATTEST:

BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM:

Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 _____ day of _____, 2006, and referred to the following committee composed of
3 _____ and _____ for recommendation;
4 thereafter the said committee reported favorably on said ordinance on the _____ day of
5 _____, 2006, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council
7 as first introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

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12 APPROVED:

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14 By _____
OSCAR B. GOODMAN, Mayor

15 ATTEST:

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17 BARBARA JO RONEMUS, City Clerk

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